

Entered - 4/29/98 - SB  
CL 98L0291 - GWENDOLYN BURNS

99-2-1307

CLAIM OF: CHARLES DANIEL WYATT, III  
881 Monroe Circle, NE  
Atlanta, Georgia 30308

For damages alleged to have been sustained as  
a result of property damage on November 21,  
1997 at 881 Monroe Circle.

THIS ADVERSED REPORT IS

APPROVED:

*Rosalind A. Rubens*  
ROSALIND A. RUBENS  
DEPUTY CITY ATTORNEY

ADVISED REPO

COM.

*Public Safety*  
DATE *8/10/99* *shgd Administration.*

DATE *8/10/99*

*8/31/99*

*9/14/99*

*9/28/99*

*10/26/99*

*11/9/99*

*11/29/99*

*12/14/99*

*1/11/00*

P.S. & L.A.

(11/14)

*2/11/00*

*2/15/00*

*2/29/00*

*3/14/00*

*3/28/00*

*4/11/00*

*5/9/00*

*5/30/00*

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 98L0291

Date: July 29, 1999

Claimant /Victim CHARLES D. WYATT, III

BY: (Atty) (Ins. Co.) \_\_\_\_\_

Address: 881 Monroe Circle, NE Atlanta, Georgia 30308

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 1,583.00 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 4/20/98 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 \_\_\_\_\_ X Ante Litem (6 Mo.) \_\_\_\_\_ X

Date of Occurrence 11/21/97 Place: 881 Monroe Circle, NE

Department PUBLIC WORKS Bureau: Waste Water Services Division \_\_\_\_\_

Employee involved \_\_\_\_\_ Dept. Action Taken \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges that he sustained property damage when storm drains from an adjacent property overflowed causing extensive flooding to claimant's home. An investigation determined that the major contributor of run-off to claimant's property is the Ackerman property, which is located directly behind claimant's property. Claimant has been advised to pursue his claim against that that party.

INVESTIGATION:

Statements: City employee X Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral X

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report X Other X

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial \_\_\_\_\_

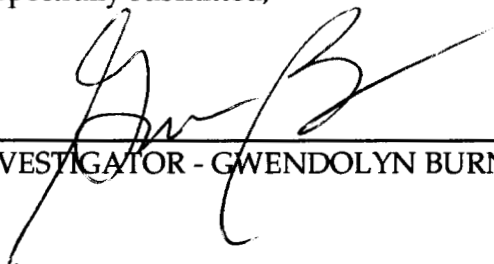
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_

City not involved X Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent \_\_\_\_\_ Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ \_\_\_\_\_ Adverse X Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_

Claims Manager:  Concur/date 6-2-30-99

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK

City Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 4/17/98

ENTERED - 4-29-98 - SB  
98L0291 - GWEN BURNS

BURNS  
04-2798  
*[Signature]*

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount of \$1,583.00 property and/or \$\_\_\_\_\_ bodily injury for which I contend the City is liable.

1. Date of incident: 11/21/97 2. Time of incident: 7:00 p.m. 3. Police called: x (911)  
(month/day/year) Yes No
4. Location of incident (including street address): Monroe Circle, N.E.
5. Name of your insurance company: No flood insurance Policy No. \_\_\_\_\_
6. State what and how incident occurred: The City of Atlanta sewer overflowed and caused extensive flooding of several homes including my home at 881 Monroe Circle.
7. **ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!**
8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).  
  
Your vehicle: \_\_\_\_\_  
(Make) (Year) (Tag Number) (Driver's Name)  
  
City vehicle: \_\_\_\_\_  
(Make) (City Driver's Name) (Department/Bureau)
9. Witness: Terry and Stacy Dietzler 873 Monroe Circle, N.E. 404/874-0020  
(Name) (Address) (Telephone Number)
10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).
11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE  
INFORMATION IS TRUE AND CORRECT.

*[Signature]*  
Signature of Claimant

Charles Daniel Wyatt, III  
(Print Claimant's Name)

881 Monroe Circle, N.E.  
(Address)

Atlanta, Georgia 30308  
(City, State and Zip Code)

404/525-8200 404/892-0108  
(Work Number) (Home Number)

99-R-1307